

## COUNCIL MEETING RESULTS

**CITY OF SURPRISE**  
**Regular City Council Meeting Agenda**  
16000 N. Civic Center Plaza  
Surprise, AZ 85374  
Tuesday, December 10, 2013 @ 6:00 p.m.

- A. Call To Order
- B. Roll Call – All Council were present.
- C. Pledge of Allegiance
- D. Invocation
- E. City Manager Report: No report
- F. City Attorney Report: new attorney; serving on jury duty.
- G. Regular City Council Meeting Agenda:

Approval of items on the Consent Agenda – all items with an asterisk (\*) are considered to be routine matters and will be enacted by one motion and one roll call vote to the City Council. There will be no separate discussion on these items unless a Councilmember requests, in which event the item will be removed from the consent agenda and considered in its normal sequence on the agenda.

**Consent Agenda:**    M: Williams      2<sup>nd</sup>: Alton      Vote: 7 yes  
votes

\*#1 District Citywide

Consideration and action on Resolution #2013-137 a resolution by Mayor and Council for acceptance of FY2014 Arizona Lottery Fund (ALF) grant funds.

Approved  
Dick  
McKinley  
Public  
Works  
Director

\*#2 District 3

Consideration and action on Resolution No 2013-133 a resolution accepting maintenance of the streets and public water and sewer utilities constructed in conjunction with “Gestamp Solar Steel” located generally on the northwest corner of Peoria Ave and Solar Canyon Way.

Approved  
Dick  
McKinley,  
Public  
Works  
Department

*#3 District 4	<u>Consideration and action on Resolution No. 2013-141 a Resolution of the Mayor and Council of the City of Surprise, Arizona To accept Warranty Deeds from Nine Bell Road parcel owners associated with the Bell Road Sidewalk Project located on Bell Road between U.S. 60 and 115th Avenue.</u>	Approved Tammie Hollowell, IT
*#4 District 3	<u>Consideration and action on Resolution No. 2013-118, a resolution accepting maintenance of the streets and public utility improvements at Marley Park Parcel 12, generally located near the intersection of Bullard and Waddell Roads.</u>	Approved Dick McKinley, Public Works Department
*#5 District 3	<u>Consideration and action on a Sampling Privileges License requested by Robert Joseph Nelson (Applicant) for Fry's Marketplace #680 located at 15215 N. Cotton Lane, Surprise Arizona.</u>	Approved Sherry Ann Aguilar, City Clerk MMC
*#6 District Citywide	<u>Consideration and action on the minutes of November 5, 2013 Special City Council Work Session; November 12, 2013 Regular City Council Meeting and November 19, 2013 Special City Council Meeting.</u>	Approved Sherry Ann Aguilar, City Clerk
*#7 District 4	<u>Consideration and action on the renewal of Off-Track Betting through Phoenix Greyhound Park at Runner's Sport Bar located at 12751 W. Bell Road, Suites 8 &amp; 9, Surprise, AZ. 85374</u>	Approved Sherry Ann Aguilar, City Clerk MMC
*#8 District 3	<u>Consideration and action on Resolution 2013-17, a resolution of the Mayor and Council of the City of Surprise, Arizona, approving a final plat amendment, entitled "Map of Dedication for Zanjero Trails Phase 2 South," located generally on the northwest corner of Perryville Road and Peoria Avenue.</u>	Approved Jeff Mihelich, Assistant City Manager
*#9 District 3	<u>Consideration and action on Resolution 2013-18, a resolution of the Mayor and Council of the City of Surprise, Arizona, approving a final plat amendment, entitled "Zanjero Trails Phase 2 – Parcel 12A," located generally on the northwest corner of Perryville Road and Peoria Avenue.</u>	Approved Jeff Mihelich, Assistant City Manager

*#10 District 3	<u>Consideration and action on Resolution 2013-19, a resolution of the Mayor and Council of the City of Surprise, Arizona, approving a final plat amendment, entitled "Zanjero Trails Phase 2 – Parcel 12B," located generally on the northwest corner of Perryville Road and Peoria Avenue.</u>	Approved Jeff Mihelich, Assistant City Manager
*#11 District 3	<u>Consideration and action on Resolution 2013-20, a resolution of the Mayor and Council of the City of Surprise, Arizona, approving a final plat amendment, entitled "Zanjero Trails Phase 2 – Parcel 12C," located generally on the northwest corner of Perryville Road and Peoria Avenue.</u>	Approved Jeff Mihelich, Assistant City Manager
*#12 District 3	<u>Consideration and action on Resolution 2013-21, a resolution of the Mayor and Council of the City of Surprise, Arizona, approving a final plat amendment, entitled "Zanjero Trails Phase 2 – Parcel 13A," located generally on the northwest corner of Perryville Road and Peoria Avenue.</u>	Approved Jeff Mihelich, Assistant City Manager
*#13 District 3	<u>Consideration and action on Resolution 2013-22, a resolution of the Mayor and Council of the City of Surprise, Arizona, approving a final plat amendment, entitled "Zanjero Trails Phase 2 – Parcel 13C," located generally on the northwest corner of Perryville Road and Peoria Avenue.</u>	Approved Jeff Mihelich, Assistant City Manager
Regular Agenda Item - Non-Public Hearing:		
#14 District Internal	<u>Recognition of the General Plan Advisory Committee Members for exemplary service.</u>	No Action Mayor Wolcott
#15 District Citywide	<u>Consideration and action to appoint Megan Ruff, Elizabeth Poe, Josephina Adams and Madeline Wright and to re-appoint Jake Bastien and Madissun Hodes to the Teen Advisory Commission with term expirations of December 10, 2015.</u>	Approved Mark A. Coronado, CRS Director
M: Williams 2 <sup>nd</sup> : Alton	Vote: 7 yes votes	
#16 District Internal	<u>Consideration and action on the donation of the City of Surprise 1993 International Fire Pumper and associated</u>	Approved Michael

fire equipment to the Dysart Unified School District (DUSD) to be used in conjunction with the Valley Vista Fire Science Program. White, Fire Chief

M: Hall 2<sup>nd</sup>: Biundo Vote: 7 yes votes

#17 District 1	<u>Consideration and action on COS 14-004A a contract with Modular Solutions, LTD for the construction of Fire Station 304 in the amount of \$139,263.70 plus an owners contingency of \$30,000.</u>	Approved Dick McKinley, Public Works Department
#18 District 6	<u>Consideration and action on COS 13-005 a contract with Hilts Consulting Group. Inc. for the design of SPA 1 Floating Reservoir Covers in the amount of \$ 123,000.00 plus an owners contingency of \$12,300.00.</u>	Approved Dick McKinley, Public Works Department
#19 District Internal	<u>Consideration and action on Resolution 2013-142; a Resolution of the Mayor and Council of the City of Surprise, Arizona, amending the Fiscal Year 2014 budget by reallocating \$74,000 from Contingency to Services and Supplies for tenant improvements, utilities and furniture for the West Valley Arts Council.</u>	Approved Vice Mayor Biundo; CM Hall

CM Alton made a motion to table this item for additional research. Seconded by CM Villanueva. 2 yes vote to table, 5 no votes. Motion failed.

2<sup>nd</sup> Action:

M: Biundo 2<sup>nd</sup>: Hall Vote: 5 yes votes to approve, 2 no votes (Alton & Villanueva).

H. Call To The Public: Ken Wright – Thanked CM Alton for his service to the City.

INSTRUCTIONS: In order to address the City Council, you will need to fill out a Call to

the Public Form available at the front counter, and then turn it in to the City Clerk before the meeting begins.

[Download the Call to the Public form](#) (*PDF download requires Adobe Acrobat Reader*)

[Fill out the Call to the Public form online](#) If submitting form electronically, please submit to City Clerk at least one hour before the meeting start time.

The Call to the Public form is also available at the front counter.

Note: A.R.S. 38-431.01(H) - During this time members of the public may address City Council on any item not on the agenda. At the conclusion of the open call, City Council may respond to criticism, may ask staff to review the matter or may ask that the matter be put on a future agenda. No discussion or action shall take place on any item raised.

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I. Other Business and Future Agenda Items: None.

J. Mayor/Council Reports:

K. Executive Session:

#20 District Internal <u>Discussion and consideration of employment matters, conducting performance, self evaluations and goals of appointed officials, pursuant to Ariz. Rev. Stat. §38-431.03(A)(1)</u>	No Action Misty Leslie, City Attorney
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**Motion: Hall 2<sup>nd</sup>: Biundo    Vote: 7 yes votes to enter E-Session at 7:00 p.m.**

For information Purposes; Upon a public majority vote of a quorum of the City Council, the Council may hold an executive session, which will not be open to the public, but for only the following purposes:

- discussion or consideration of personnel matters (A.R.S. §38-431.03 (A)(1));
- discussion or consideration of records exempt by law from public inspection (A.R.S. §38-401.03 (A)(2));
- discussion or consultation for legal advice with the city's attorneys (A.R.S. §38-431.03 (A)(3));
- discussion or consultation with the city's attorneys regarding the city's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation, or in settlement discussions conducted in order to avoid or resolve litigation (A.R.S. §38-431.03 (a)(4));
- discussion or consultation with designated representatives of the city in order to consider its position and instruct its representatives regarding negotiations with employee

- organizations (A.R.S. §38-431.03 (A)(5)); or
- discussion, consultation or consideration for international and interstate negotiations or for negotiations by a city or town, or its designated representatives, with members of a tribal council, or its designated representatives, of an Indian reservation located within or adjacent to the city or town. A.R.S. §38-401.03 (A)(6)).
  - discussing or consulting with designated representatives of the city in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property (A.R.S. §38-431.03 (A)(7)).

Confidentiality Requirements Pursuant to A.R.S. §38-431.03(C)(D): Any person receiving executive session information pursuant to A.R.S. §38-431.02 shall not disclose that information except to the Attorney General or County Attorney by agreement of the City Council, or as otherwise ordered by a court of competent jurisdiction.

CM Alton did not participate with E-Session and left following approval by Council to go into E-Session.

Adjourned E-Session at 10:29 p.m.

- L. Adjournment of Regular Meeting at 10:30 p.m. M: Hall 2<sup>nd</sup>: Williams, unanimous vote to adjourn.

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SHERRY ANN AGUILAR, CITY CLERK,  
MMC

**POSTED: Dec. 11, 2013 at 6:45 a.m.**

SPECIAL NOTE: PERSONS WITH SPECIAL ACCESSIBILITY NEEDS, INCLUDING LARGE PRINT MATERIALS OR INTERPRETER, SHOULD CONTACT THE CITY CLERK'S OFFICE @ 623.222.1200 OR TTY 623.222.1002, BY NO LATER THAN 24 HOURS IN ADVANCE OF THE REGULAR SCHEDULED MEETING TIME.